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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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3 UNITED STATES OF AMERICA,

4 v.

20 CR 330 (AJN)

5 GHISLAINE MAXWELL,

6 Defendant.

7 -----x

New York, N.Y.
March 8, 2022
10:15 a.m.

9 Before:

10 HON. ALISON J. NATHAN,

11 District Judge

12 APPEARANCES

13 DAMIAN WILLIAMS

14 United States Attorney for the
15 Southern District of New York

16 ALISON MOE

17 MAURENE COMEY

ANDREW ROHRBACH

LARA POMERANTZ

Assistant United States Attorneys

18 COHEN & GRESSER

19 Attorneys for Defendant

20 CHRISTIAN EVERDELL

21 BOBBI C. STERNHEIM

Attorney for Defendant

22 SPODEK LAW GROUP

Attorneys for Juror 50

23 TODD A. SPODEK

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(Case called)

DEPUTY CLERK: Counsel, please state your name for the record, starting with the government.

MS. MOE: Good morning, your Honor, Alison Moe, Lara Pomerantz, Andrew Rohrbach and Maurene Comey for the government.

THE COURT: Good morning, counsel.

MS. STERNHEIM: Bobbi C. Sternheim and Christian Everdell for Ghislaine Maxwell, who is present at defense table.

THE COURT: Good morning.

And Mr. Spodek on behalf of Juror 50, please state your appearance.

MR. SPODEK: Good morning, your Honor, Todd Spodek on behalf of Juror 50, who is present.

THE COURT: Thank you. We're here today for a hearing on the defendant's motion for a new trial. The government has consented and to indeed requested this hearing as to Juror 50.

My opinion and order dated February 24, 2022 ordered this hearing into Juror 50's responses to questions on the jury selection questionnaire. That opinion lays out the scope and nature of today's hearing.

In addition to the motion for new trial briefing that I received from of the parties, I also received proposed questions from both sides which I have carefully considered in

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1 preparing for today's hearing. In the submitted questions, the
2 defense renewed the request that counsel be permitted to
3 conduct the questioning. I am denying that renewed request. I
4 will conduct this proceeding in accord with my February 24
5 opinion.

6 Following my questioning, I will hear from counsel for
7 the parties at sidebar as to any proposed follow-up questions
8 that they wish be asked and I will consider those requests.

9 In a moment, I will address counsel for Juror 50.

10 Let me ask counsel for the parties if there are any
11 preliminary matters.

12 MS. MOE: Not from the government, your Honor, thank
13 you.

14 MS. STERNHEIM: No, thank you.

15 THE COURT: All right. Juror 50 is present and
16 represented by retained counsel, Mr. Spodek.

17 Mr. Spodek, just as a preliminary matter, does your
18 client wish that he be referred to here as Juror 50 rather than
19 using his full name?

20 MR. SPODEK: Yes, your Honor.

21 THE COURT: And I understand, but again confirm for me
22 that in post-verdict press interviews he did not reveal his
23 last name, is that correct?

24 MR. SPODEK: That's correct.

25 THE COURT: I do intend to continue to refer to him as

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1 Juror 50. In post-verdict press interviews he did not reveal
2 his last name. Consistent with that and my juror anonymity
3 order during trial, I will permit that to continue.

4 I received a letter dated March 1st, 2022 from
5 Mr. Spodek. In that letter, Mr. Spodek, you informed me that
6 Juror 50 would invoke his Fifth Amendment privilege against
7 self-incrimination at this hearing. As you see from my
8 February 24 opinion, Mr. Spodek, I am going to ask Juror 50
9 questions today about responses that he gave during the jury
10 selection process in the case of *United States v. Maxwell*.

11 Does it remain your client's intention to assert his
12 Fifth Amendment privilege in response to those questions?

13 MR. SPODEK: Yes, your Honor.

14 THE COURT: I'm going to confirm on the record with
15 your client, Mr. Spodek:

16 Juror 50, is it your intention to assert your Fifth
17 Amendment privilege in response to the questions I'm going to
18 ask you today?

19 JUROR 50: Yes, your Honor.

20 THE COURT: All right. I received a written
21 application from the government last night.

22 Ms. Moe, could you confirm that the government is
23 making the application?

24 MS. MOE: Yes, your Honor.

25 THE COURT: In accord with the application, I have

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1 signed the proposed immunity order which will be docketed with
2 Juror 50's name redacted.

3 Juror 50, in view of your assertion of the Fifth
4 Amendment privilege, I have signed an order granting you
5 immunity. It is use immunity with respect to your testimony in
6 this proceeding. That means that no testimony given by you or
7 any information, directly or indirectly, derived from your
8 testimony may be used against you in a federal criminal case,
9 except if you testify falsely today you could be prosecuted for
10 perjury. In light of this immunity, you will be required to
11 answer questions today.

12 So in other words, you need to answer my questions
13 today. You need to answer truthfully. If you don't answer
14 truthfully, you could be prosecuted for perjury. But you will
15 not be prosecuted in federal court based on any truthful
16 testimony that you give here today, even if that testimony
17 indicated that you committed a crime.

18 Juror 50, do you understand that?

19 JUROR 50: Yes, your Honor.

20 THE COURT: All right. I am going to have Juror 50
21 come forward to the witness stand, please.

22 (Continued on next page)
23
24
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1 [REDACTED],

2 having been duly sworn, testified as follows:

3 EXAMINATION

4 BY THE COURT:

5 THE COURT: I'm going to approach with the court
6 reporter and ask Juror 50 at the sidebar to state and spell his
7 name for the record. His name will be redacted from the public
8 transcript.

9 (At sidebar)

10 THE COURT: Please state your name for the record.

11 THE WITNESS: [REDACTED].

12 (In open court)

13 BY THE COURT:

14 Q. With that, Juror 50, you are under oath.

15 I will begin with some general instructions to you.
16 If at any point you don't understand something that I'm asking,
17 please ask for clarification. Don't speculate as to the
18 meaning of my question, ask for clarification.

19 In responding to questions, I do instruct you not to
20 tell me about the jury deliberations or your thought process
21 during deliberations. I'm not asking questions about those and
22 you should not provide that information in response to my
23 questions. So listen to my specific questions, let me know if
24 there's something you don't understand, do not respond with
25 information about the jury's deliberations, and tell the truth.

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1 If there is a response that is too difficult or
2 embarrassing for you to share in open court, you may request to
3 speak at sidebar with me and counsel. However, if you have
4 already shared the information publicly, including in media
5 interviews, then I will not allow the sidebar.

6 There's a binder in front of you. I have marked the
7 document in there as Court Exhibit 1, so it's Court Exhibit 1
8 to the record for this hearing proceeding and you may open
9 that.

10 That is a copy of the questionnaire that you filled
11 out on November 4, 2021. Please take a moment and look through
12 it so that you're familiar with it and can identify it.

13 A. Yes.

14 Q. Do you recognize that as the questionnaire that you filled
15 out on November 4, 2021, as part of the jury selection process
16 in this case?

17 A. Yes, your Honor.

18 Q. I will ask you to turn to page 24 and look at question 48.

19 That question reads: Have you or a friend or family
20 member ever been the victim of sexual harassment, sexual abuse
21 or sexual assault, and then in parenthesis, this includes
22 actual or attempted assault or other unwanted sexual advance,
23 including by a stranger, acquaintance, supervisor, teacher or
24 family member. Do you see that question 48?

25 A. Yes, your Honor.

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1 Q. On your questionnaire you indicated no as your answer. You
2 checked the box for no. Is no an accurate answer to that
3 question?

4 A. No, it is not.

5 Q. What is an accurate answer to that question?

6 A. Yes for self.

7 Q. Okay. If you look at question 48A, that question says: If
8 yes, without listing names, please explain.

9 And when you filled out the questionnaire on
10 November 4, 2021, you left that blank. What is an accurate
11 answer to question 48A?

12 A. I would have put I was abused as a child.

13 Q. Without listing names, what happened?

14 A. It was a family member, who is no longer a part of the
15 family, and one of their friends when I was nine and ten years
16 old.

17 Q. Did this happen on one occasion or multiple occasions?

18 A. Multiple occasions.

19 Q. And did you tell anyone?

20 A. I did not for several years until I was in high school.

21 Q. And when you told someone in high school, did you tell
22 authorities or adults or friends?

23 Who did you tell?

24 A. I told my mom and she called the police station and gave a
25 report of the account and but never received any paperwork. So

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1 I don't know if anything was actually filed or anything done.

2 There were no charges brought.

3 Q. You said a family member, no longer a family member.

4 Again, without listing names, what was the nature of the
5 familial relationship?

6 A. A stepbrother.

7 Q. You said stepbrother?

8 A. Yes.

9 Q. I'm going to ask you to look at question 48B. Question 48B
10 reads: If your answer to 48 was yes, do you believe this would
11 affect your ability to serve fairly and impartially as a juror
12 in this case?

13 When you filled this out on November 4, you left that
14 blank. What is an accurate answer to 48B?

15 A. It would have been no, because it did not affect my ability
16 to be fair and impartial at all.

17 Q. I'm going to ask you to turn to page 13 of the
18 questionnaire. Question 25 reads: Have you or any of your
19 relatives or close friends ever been a victim of a crime?

20 And you checked no when you filled this out on
21 November 4. Is no an accurate answer?

22 A. Looking back at it now, no, it's an incorrect answer.

23 Q. Who would have an accurate answer have been?

24 A. It would have been yes.

25 Q. Yes self, yes friend or family?

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1 A. Yes self.

2 Q. And when you say "yes self," what are you referring to?

3 A. I'm referring to the sexual abuse.

4 What I was thinking when I was completing that
5 questionnaire was like if I was robbed or mugged or some sort
6 of crime like that. I wasn't thinking of my sexual abuse as
7 being a victim of a crime because I no longer associate being a
8 victim. It's part of my healing process and it's how I dealt
9 with the abuse.

10 Q. Have you ever been robbed?

11 A. Never.

12 Q. Ever been mugged?

13 A. Never.

14 Q. Family or friends ever been robbed?

15 A. No.

16 Q. Or mugged?

17 A. I don't know anybody that has ever been robbed or mugged.

18 Q. Question 25A, asked: If yes, is there anything about the
19 experience that would prevent you from acting as a fair and
20 impartial juror in this case?

21 You left that blank when you filled it out on
22 November 4. What is an accurate answer to 25A?

23 A. It would have been no. I was definitely able to set aside
24 everything and be fair and impartial.

25 Q. Okay. In light of the answer that you gave to 48A, I am

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1 going to ask you to turn to question 49. It's on page 25.

2 Question 49 reads: Have you or a friend or family
3 member ever been accused of sexual harassment, sexual abuse or
4 sexual assault, and then in parenthesis: This includes both
5 formal accusations in a court or law or informal accusations in
6 a social or work setting of actual or attempted sexual assault
7 or other unwanted sexual advance, including by a stranger,
8 acquaintance, supervisor, teacher or family member.

9 When you filled this out on November 4, you checked
10 no. Is that an accurate answer?

11 A. Yes, your Honor.

12 Q. So the incident that you described in response to 48 in
13 which, as I understand it, you informed your mother when you
14 were in high school that when you were nine or ten a family
15 member had engaged in sexual abuse with you, is that correct?

16 A. Yes.

17 Q. So why is that not responsive to question 49?

18 A. Because I don't consider them part of my family. I never
19 considered them part of my family even when they lived with us
20 for a few years.

21 Q. And when you filled out the questionnaire, when you got to
22 this question were you thinking about what happened to you but
23 you didn't respond yes because you didn't consider them a
24 family member, or you didn't consider it?

25 A. I didn't even consider it at all.

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1 Q. Why is that?

2 A. I flew through this questionnaire. I never thought that
3 I -- I honestly never thought I would be chosen to sit on this
4 jury. We had to be at the courthouse super early, and I got
5 here early and it took 45 minutes just to get through the
6 security line. And we get ushered into a room --

7 Q. I will come back and ask you some questions about the
8 process for filling it out.

9 A. Got it.

10 Q. Just for the moment, just with respect to this question,
11 tell me your thought process.

12 A. At this point I was super distracted because I was sat
13 right in front of the table, literally within four feet of that
14 table where everybody was dropping off their questionnaires.
15 People were asking questions, there was papers being ripped off
16 the questionnaire packets, and there's a lot of talking going
17 on, and it's super distracting. I'm like: I want to finish.
18 So I just start going through and marking the questions as I'm
19 like: Okay, okay. I didn't spend a whole lot of time thinking
20 about it.

21 Q. As you sit here now, what's the answer to question 49?

22 A. It would have been -- it would have been yes, that a
23 stepbrother was accused -- a stepbrother and his friend was
24 accused of sexual abuse.

25 Q. Okay. So a moment ago you said the answer would have been

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1 no because you didn't consider them family.

2 A. Family, yeah.

3 Q. But now you say yes because it would have been a
4 stepbrother. Explain.

5 A. Because by law, by marriage, that person was my
6 stepbrother. So when you read the question that way and it
7 says has a friend or family member ever been accused, then the
8 correct answer would have been yes, a friend or family member.

9 Q. Okay. And so the same response then for 48A is what you
10 would have given for 49B?

11 A. Yes, your Honor.

12 Q. And 49B, if your answer to 49 was yes, do you believe this
13 would affect your ability to serve fairly and impartially as a
14 juror in this case?

15 A. In no case. It would not affect me.

16 Q. In responding a moment ago you said you never thought you
17 would be chosen as a juror in this case. Why is that?

18 A. Only because the sheer volume of people that were there.
19 It was insane, the amount of people. So I just never
20 thought -- number one, I didn't know what it was when I went
21 into it, and then when they played the video of you, I just
22 thought that the likelihood of being chosen, surely they will
23 be interviewing thousands of people. And they ultimately
24 choose twelve people to sit on a jury, and I never thought I
25 would be one of those twelve.

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1 Q. Did you hope that you would be?

2 A. I did not hope to be on this jury. But again, like if
3 you're going to serve jury duty, it might as well as be
4 something that's interesting, but I did not set out in order to
5 get on this jury.

6 Q. Let me ask you to return to question 48A, page 24. You
7 spoke to this a little bit but I want to make sure I understand
8 the answer. You indicated that when you checked no, that was
9 an inaccurate answer. Why did you check no?

10 A. I didn't see the part where it says self, I just -- I
11 completely skimmed way too fast. I was distracted by all the
12 noise going on around me. And again, like I said, I just
13 wanted to get done with this. It had been a long process, I
14 had been sitting for hours, there were audiovisual problems
15 getting your video to play, so we literally sat there for three
16 hours. I didn't have a phone, I didn't have a book, I was
17 sitting there twiddling my thumbs thinking about the break up
18 that just happened a few weeks prior and sitting in my feelings
19 and not very focused.

20 Q. So tell me what you understood the question to be asking.

21 A. I thought it was asking about family or a friend.

22 Q. And the box that says yes for self?

23 A. Right, I just missed it. Inadvertent mistake. This was
24 one of the biggest mistakes I have ever made in my life, and if
25 I could go back and change everything and have slowed down and

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1 actually taken the time to read this appropriately, I would in
2 a heartbeat.

3 Q. There are other questions on the questionnaire that are
4 structured with similar yes self, yes friend or family, or no.
5 Do you recall seeing those questions?

6 A. Only after I have reread this do I recall that.

7 Q. So on none of the questions that included yes, parenthesis
8 self, yes friend or family member, or no --

9 A. I did not pick up on that when I was filling this out.

10 Q. Okay. When did you first learn that an answer to the
11 questionnaire was inaccurate?

12 A. When an article had come out about the article that I had
13 given to Lucia through The Independent.

14 Q. So you learned of an inaccurate answer in an article about
15 an interview?

16 A. Yes.

17 Q. And what about during the interview?

18 A. During the interview, no.

19 Q. When did you first learn that the questionnaire may contain
20 a question that asked about sexual abuse history?

21 A. That was during my Daily Mail interview with the reporter
22 Laura Collins.

23 Q. So we're talking about your response to 48 which you have
24 indicated was inaccurate. Did you in any way intentionally
25 provide an inaccurate answer to this question?

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1 A. Absolutely not.

2 Q. In responding to this question, did you answer no so as to
3 make it more likely that you would be selected for the jury?

4 A. Absolutely not, your Honor.

5 Q. Did your history of sexual abuse motivate you in any way to
6 try to tailor your answers to make it more likely that you
7 would be selected for this jury?

8 A. Not at all, your Honor.

9 Q. At the time you filled out the questionnaire on November 4,
10 did it occur to you that you might personally benefit in any
11 way from being on the jury in this case?

12 A. Not at all, your Honor.

13 Q. I'm going to return to question 25 again, which you have
14 indicated was inaccurately responded to, and again you've
15 discussed this, but I want to just hear directly in response to
16 this question, why did you check no?

17 A. Well, again, I wasn't thinking about abuse. I don't really
18 think about my abuse really much anymore because it doesn't
19 define me, it doesn't make me who I am today. It's something
20 that happened, it's an experience that I lived through, and I
21 have become the person I am today because of my goals and
22 ambitions. And I do not feel that I am a victim of a crime,
23 even though looking back on this abuse, that does make me a
24 victim of a crime, which is why I should have marked yes for
25 self.

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1 Q. In any way did you intentionally provide an inaccurate
2 answer to this question?

3 A. Absolutely not, your Honor.

4 Q. In responding to the question, did you answer no so as to
5 make it more likely that you would be selected for the jury?

6 A. No, your Honor.

7 Q. Did your history of sexual abuse motivate you, again, to
8 try to tailor this answer to make it more likely that you would
9 be selected for the jury?

10 A. No, your Honor, I wasn't even thinking about that.

11 Q. I am going to return to the topic of the process for
12 filling out the questionnaire, and you have spoken to that some
13 and I will give you as much space as you want to respond. Just
14 by background, you were summoned to appear for jury duty on the
15 morning of November 4, is that correct?

16 A. Yes, your Honor.

17 Q. And when did you learn you would be filling out a
18 questionnaire?

19 A. When we got to the courtroom.

20 Q. When did you learn the case for which you were being
21 considered as a juror?

22 A. Three hours after sitting in that chair.

23 Q. And how long did it take you to fill out the questionnaire?

24 A. It's a great question. I don't recall how long it took,
25 but I want to say we were done by around noon or a little after

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1 noon.

2 Q. Were you rushed in any way?

3 A. I felt rushed only because of all the commotion going on in
4 front of me and everybody else just going by on both sides.

5 Q. And how did that make you feel rushed?

6 A. It made me -- growing up in school I never wanted to be the
7 last one finished. You want to finish your test and go hang
8 out with your friends. So it's kinds of that same policy, I
9 just wanted -- everyone else is finishing and I'm like: Why am
10 I still reading this? I'm like: I'm never going to get
11 chosen, let's get this done with.

12 Q. Would you say you approached the filling out of the
13 questionnaire with diligence?

14 A. Looking back on it now, no, your Honor.

15 Q. Were you concerned with following my instructions?

16 A. Absolutely not.

17 Q. You were not concerned with following my instructions?

18 A. No, I really -- this is a terrible excuse, but I didn't
19 really think I would be chosen.

20 Q. Some of the questions required follow up depending on
21 whether a yes or no answer was provided. Do you recall that?

22 A. Yes, your Honor.

23 Q. And we'll take a quick look at two examples, question 9 on
24 page 8, question 9 and 9A and question 10 and 10A.

25 Question 9 asked whether your beliefs would make you

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1 unable to render a verdict. You checked no. 9A said: If yes,
2 please explain. You left that blank. So that question, if a
3 yes response called for explanation, you didn't provide an
4 explanation because you checked no.

5 The next question 10 asked about principles of law and
6 whether you would accept them if selected to serve on the jury,
7 and you said yes. 10A said: If no, please explain. And you
8 followed that instruction and didn't provide an explanation
9 because you had said yes.

10 You recall there were a number of questions that
11 sometimes called for explanation and sometimes didn't?

12 A. Yes, your Honor.

13 Q. So how did you know whether to include follow-up answers?

14 A. So these questions are in the beginning where I had more
15 focus than I did at the end and less distractions, so it was
16 easier to follow along, like these are the first few questions.
17 It is a pretty thick packet, there's a binder of questions, so
18 at this point I was still, I guess, in focus and in the zone
19 and knew how to respond to these questions I guess accurately
20 at this part.

21 Q. Actually throughout the questionnaire you appeared to have
22 followed the instructions with respect to follow-up questions.

23 A. Right.

24 Q. I reviewed a lot of questionnaires. Some people would
25 provide follow-up when it wasn't called for or not provide

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1 follow-up when it was called for. Your questionnaire seems to
2 follow the instructions throughout. It appears generally that
3 you read and followed the instructions within each question.
4 So how do you reconcile that with what you just testified to
5 that you were distracted, raced through?

6 A. Pretty simply, because you see your answer, you mark a no,
7 then the next question says "if yes." Well, I marked no, so
8 skip, go to the next question. So that's what I'm talking
9 about when I flew through, I skimmed, I didn't read everything.
10 So if I had just marked no and it says "if yes," immediately
11 move on.

12 Q. Just to return to 48 now, sorry to go back, first you told
13 me it was a good question, how long it took you to fill it out,
14 and then you said you couldn't remember. I want to go back. I
15 think you said you were finished by noon. Do you remember what
16 time you started the questionnaire?

17 A. It had to be around 11-something. Again, I don't know,
18 I --

19 Q. I'm not sure that clock works.

20 A. Yeah, I don't remember seeing -- obviously that clock is in
21 the back and I was facing the front of the courtroom that we
22 were in, so I wouldn't have even seen that clock. But I feel
23 like the room we were in was much larger than this one, and I
24 don't know what time I started. It definitely felt like we
25 were there for hours before even seeing your video and then

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1 given the questionnaire.

2 Q. You say, if you had to estimate, an hour to fill out the
3 questionnaire?

4 A. Maybe. I think that would be accurate.

5 Q. And to return to 48, so you just said it was pretty easy
6 to, if yes, explain, if no, explain, so you skimmed through
7 that. Looking again at 48, which has sort of a lot of white
8 space for the answer there, do you see that?

9 A. Yes, your Honor.

10 Q. And again, this is how many of the questions were
11 structured: Check box yes self, yes friend or family, or no.

12 Tell me again your thought process and how you
13 understood the yes self, and yes friend or family.

14 A. I just read the friend or family, again, like distracted,
15 so I missed that "have you," and then "yes self" while reading
16 this question.

17 Q. At the time you were filling this out, were you surprised
18 the questionnaire asked about friend and family but not about
19 you?

20 A. I didn't honestly think about it.

21 Q. At the time you filled out the questionnaire, did you think
22 that your history of sexual abuse would be something that the
23 parties and I would want to know in order to determine if you
24 could be fair and impartial?

25 A. Looking back thinking now, yes, that's a question that

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1 would have been asked, but I honestly didn't think about it. I
2 really don't think about my sexual abuse, period. I don't tell
3 very many people.

4 Q. After the trial you gave interviews in which you did tell
5 people about your history of sexual abuse.

6 A. Yes.

7 Q. How do you reconcile what you just said with that?

8 A. So I didn't -- this is going back to a deliberation thing,
9 so I have to think about how to say this.

10 Q. Well, I don't want you to talk about deliberations.

11 A. Right.

12 Q. If you can, you just said you don't talk about it, but --

13 A. I didn't talk about my abuse, I only said that -- I only
14 used it in order to talk to a reporter about jury
15 deliberations, I didn't use it in order to insert anything. I
16 just gave that as to why I believe a certain way based on all
17 the evidence that was provided during the trial.

18 Q. I suppose that the question is: You were prepared for the
19 public and you knew the public paid a lot of attention to this
20 case, you were giving national and international media
21 interviews, you were prepared for your history of sexual abuse
22 to be widely known.

23 A. Right, but not something -- I didn't think this would
24 happen, like I didn't lie in order to get on this jury and then
25 go to the press and tell them about my abuse. It just -- it's

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1 a little illogical thinking about it, like if I lied
2 deliberately I wouldn't have told a soul. I certainly wouldn't
3 have put myself in a position to where I could -- this position
4 that I'm in now, potentially any sort of criminal charges, I
5 just wouldn't have done it. It was an honest mistake and one
6 of the biggest mistakes, and again, I apologize for wasting a
7 lot of people's time and money, and this is never anything that
8 I intended or did on purpose.

9 Q. I understand your point, I still want to just make sure I
10 understand as someone who is filling out the questionnaire and
11 sort of walking through life and doesn't think about the
12 history of sexual abuse and talk about it, at the same time you
13 were prepared for the world to know about it. Tell me how to
14 make sense of that.

15 A. It was only how I view things and how I can recall
16 memories, that's it. I didn't talk about my abuse, I just said
17 I can remember things and recall things, like the color of the
18 wall or --

19 Q. Did you think about the fact that many people would learn
20 from your interview that you had this history of sexual abuse?

21 A. No, I did not.

22 Q. You didn't think about that?

23 A. No, I did not think that anybody -- certainly my family or
24 friends would find this out.

25 Q. Friends weren't following the news of the case after you

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1 indicated you had been a juror on it?

2 A. I don't know if they were following the news of the case,
3 but I have had some conversations about it with my friends
4 afterward, but most people don't even know. It's not like -- I
5 didn't know much about it either. Sexual abuse isn't a topic
6 that I really want to research or learn about or watch about
7 frequently.

8 Q. You did understand from your interviews that the fact that
9 you were abused would be a known fact in the world.

10 A. Yes, your Honor.

11 Q. And did you make a conscious decision that you were okay
12 with that?

13 A. Yes, your Honor. After sitting on this trial for several
14 weeks and seeing the victims be brave enough to give their
15 story, I felt like if they can do it, then so can I. I didn't
16 have to divulge any of the details that happened to me, I
17 focused on the memory aspect.

18 Q. Okay. What I'm going to do now is I'm going to take us
19 back in time to not November 4 but November 16, 2021. That's
20 when I questioned you individually in that process that I
21 suspect now you know is called voir dire. You recall that
22 process?

23 A. Yes, your Honor.

24 Q. At that time I asked you some follow-up questions based on
25 your responses to the questionnaire and some additional

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1 questions. Do you recall that?

2 A. Yes, your Honor.

3 Q. So if you had filled out your questionnaire accurately as
4 to 48 and 25 and 49, I would have asked additional questions
5 that day. So what I'm going to do is ask you those questions
6 now.

7 A. Okay.

8 Q. And I need you to answer honestly as to how you would have
9 answered on November 16 if you had answered the questions 25,
10 48 and 49 accurately. Do you understand that?

11 A. Yes, your Honor.

12 Q. And again, I'm not asking for your thought process during
13 deliberations or anything about jury deliberations, I'm asking
14 you to go back to that time and if you had answered these
15 questions accurately, how would you have responded to my follow
16 ups. Okay?

17 So at the time I asked you questions on November 16,
18 and if you had answered the questions accurately, did you
19 believe there was anything about your prior experience with
20 sexual abuse that would affect your ability to be a fair and
21 impartial juror?

22 A. No, it would not affect me in any way.

23 Q. At the time I asked you the questions, if you had answered
24 the questions accurately, did you believe there was anything
25 about your experience with sexual abuse that would have

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1 affected your ability to render a verdict based solely on the
2 evidence presented at trial and my instructions as to the law?

3 A. Yeah. No, your Honor, I would be able to review the
4 evidence based solely on the evidence.

5 Q. Okay. At the time I asked you questions, and if you
6 answered accurately, did you believe there's anything about
7 your experience with prior sexual abuse that would interfere
8 with your ability to assess the credibility of witnesses
9 alleging sexual abuse?

10 A. Absolutely in no way.

11 Q. So at the time did you believe that you would be able to
12 conclude that a witness alleging sexual abuse was not
13 testifying truthfully if that was what the evidence suggested?

14 A. Correct, your Honor, yes, I did.

15 Q. At the time I asked you questions on November 16, did you
16 harbor any bias against Ms. Maxwell?

17 A. Not at all.

18 Q. At the time I asked you questions on November 16, were with
19 you biased in favor of the government or the prosecution?

20 A. Not at all, your Honor.

21 Q. Did you want to put your thumb on the scale in any
22 direction?

23 A. No.

24 Q. At the time I asked you questions, and in light of your
25 experience with sexual abuse, did you believe that the subject

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1 matter of the case would upset you in such a way that would
2 distract you from your duty as a juror?

3 A. No, your Honor.

4 Q. Would you be thinking about your own experience in a way
5 that would prevent you from being fair or impartial?

6 A. No, your Honor.

7 Q. At the time I asked you questions on November 16, and in
8 light of your experience with sexual abuse, did you believe
9 that issues of reporting or not reporting sexual abuse that
10 might be discussed at trial would interfere with your ability
11 to be fair or impartial as a juror in the case?

12 A. No, your Honor.

13 Q. At the time I asked you questions on November 16, and if
14 you had answered accurately and based on your experience with
15 sexual abuse, did you have any doubt as to your ability to be
16 fair to both sides?

17 A. No, your Honor, no doubt.

18 THE COURT: All right. I will meet with counsel at
19 sidebar.

20 (At sidebar)

21 THE COURT: I will give you an opportunity to propose
22 follow-up questions in light of his responses to questions of
23 counsel.

24 MS. MOE: Yes, your Honor, just one proposal. I
25 believe the Court asked Juror 50 about the way in which he

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1 approached the questionnaire process, whether he took the
2 Court's instructions seriously. We would just propose asking
3 parallel questions about the questions he was asked in person,
4 in particular because the juror was asked during voir dire
5 similar questions about questions of bias for or against the
6 government, impartiality. And so to clarify the record,
7 whether he took answering those questions in person seriously
8 and answered truthfully.

9 MS. STERNHEIM: Could we have a moment?

10 THE COURT: You may.

11 (Pause)

12 MR. EVERDELL: Your Honor, I think there was several
13 areas of follow-up here that are warranted.

14 First, the juror made some reference to his healing
15 process. I couldn't quite understand what he said at the time,
16 something about how he views himself as a victim or not as a
17 victim of a crime. I think we need to understand his healing
18 process and what he has gone through, because that affects his
19 ability to be an impartial juror in a case involving sexual
20 abuse. Is this something that he still is seeking treatment
21 for? Is this something he is still thinking? How he deals
22 with the healing process and how he thinks about himself as a
23 victim affects how he views the victim witnesses in this case,
24 and I think there ought to be more questions about that.

25 THE COURT: What's the proposed question?

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1 MR. EVERDELL: What was -- we gave a number of those
2 in our submissions, but: You talked publicly about the fact
3 that you were in therapy, what was the nature of the therapy?
4 Does it deal with your experiences as victim of sexual abuse?
5 What was the healing process that you talked about? Describe
6 this healing process for me. Does it involve addressing this
7 issue of prior child sexual abuse? Were you in therapy during
8 the trial? Is this an issue that you are still dealing with?

9 THE COURT: I did review those questions proposed and
10 I considered them. The defense did not propose any comparable
11 questions for jurors during the voir dire process who indicated
12 yes to this question and indicated a history of sexual abuse,
13 so those requests are denied.

14 Any other follow-up requests?

15 MR. EVERDELL: Your Honor, I think we need to talk
16 further about the nature of abuse. We talked about the fact
17 this was repeated, happened multiple times. This happened with
18 more than one person, a stepbrother and a friend. I think we
19 need to understand because -- I'm not trying to pry, your
20 Honor, I'm not trying to get into these gory details, but it is
21 relevant, the extent of the similarities of this juror's abuse
22 and whether that lines up with the testimony we heard from the
23 victims is relevant in an inquiry to bias.

24 And I think we need to understand a little more about
25 similar questions that we asked -- we proposed to the Court in

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1 our follow up: How long did this go on? When did it stop?
2 Were you home when this happened? What was the interaction
3 between you and the abusers and family members? These are all
4 things that go to the similarity.

5 THE COURT: I have the same response. I considered
6 those questions. We had, I think it was Juror 21 who had
7 talked about familial abuse. The defense didn't propose any
8 comparable follow-up questions. The questions went to the core
9 questions of impartiality and fairness. The defense didn't
10 request those questions and they didn't move to strike for
11 cause. Here, there's dissimilarity of age; for example,
12 younger than some of the proposed jurors, some of the
13 inquired-into jurors who indicated yes, the defense didn't
14 request follow up as to the specific similarities and the like,
15 and I don't think I would have asked them because the bottom
16 line questions are what is in issue. So that request is
17 denied.

18 Any other proposed follow up?

19 MR. EVERDELL: Yes, I have a few more.

20 MS. STERNHEIM: Judge, you have asked certain things
21 about the questionnaire, but I do not believe that you asked
22 about the summary of the case which specifically says what this
23 case is about, it is about sexual abuse of a minor, and did he
24 just fly through that as well?

25 It is clear that this juror has supplemented --

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1 THE COURT: Make your arguments in briefing
2 afterwards, if you're doing that. I want specific proposed
3 questions in light of responses.

4 MS. STERNHEIM: I know your Honor did not want to get
5 into what happened in the jury room, but a couple of --

6 THE COURT: I'm not permitted to get into that.

7 MS. STERNHEIM: You are permitted to discuss what he
8 stated publicly, and publicly he said that he --

9 THE COURT: You misunderstand the law, or I do, but I
10 have written an analysis of that issue in my opinion. That he
11 revealed what happened in jury deliberations does not allow me
12 to accept, as part of this hearing, evidence of what he said in
13 jury deliberations. You may disagree with that legal analysis.
14 I have written extensively about it in my February 24 opinion.
15 I won't relitigate that now.

16 MS. STERNHEIM: He did not tell very many people about
17 it, then he told the world.

18 THE COURT: Right. I pressed repeatedly on that
19 issue. If you have a specific follow up that you would like me
20 to ask --

21 MR. EVERDELL: I do have some follow up. He said he
22 didn't tell many people, but he also said he didn't think
23 people would learn about his history of sexual abuse, despite
24 the fact that he was telling reporters about that. We need to
25 ask him, I think, about his post to Annie Farmer where he says:

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1 Thanks for telling my story. So if he says: I didn't expect
2 the world to hear about my sexual abuse, yet at the same time
3 he's telling Annie Farmer, one of the victims in this case,
4 post-trial, "Thanks for telling my story," that suggests to me
5 that he wanted to be known as the victim of sexual abuse, he
6 wanted to be seen as a champion of sexual abuse, and that this
7 explanation that he is giving is simply false.

8 There's also the Facebook post that he made after the
9 fact --

10 THE COURT: Just a moment. I will ask him to explain,
11 to reconcile that if he can, that he said he didn't think
12 people would know about it with the fact that he went on social
13 media and thanked one of the witnesses in the case. I will ask
14 about that.

15 MR. EVERDELL: Your Honor, he said this is a verdict
16 for all of the victims, which I think includes himself. How
17 does he reconcile that comment with the fact that he didn't
18 want to share with the world that he himself was a victim of
19 sexual abuse, meaning: I'm doing this for the victims of
20 sexual abuse. That's clear import of that comment. I think
21 that's a conflict.

22 There's also his Facebook posts after the fact where
23 he says: I can now tell everybody that I was a juror on the
24 Ghislaine Maxwell trial. What an incredible, surreal
25 experience. Again, telling the world that I'm out here.

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1 THE COURT: I will ask the question how does he
2 reconcile the statement that he didn't think anyone would know
3 with the fact that he was posting on social media.

4 MR. EVERDELL: I think we also need some follow-up
5 questions that we proposed in our letter about his belief about
6 victim memory, because I think that goes to his ability to
7 evaluate the evidence fairly and impartially.

8 THE COURT: I will deny that.

9 MR. EVERDELL: I believe also he said in his answers
10 that he didn't hope to be on the jury but if he is going to be
11 on a jury, it might as well be something interesting. I'm
12 paraphrasing, but that's the import of his comment. I think we
13 need some follow up about what he meant by that comment. Why
14 was it that he found this interesting? Was it some reflection
15 of the fact that it involved victims of sexual abuse, and
16 because he was the victim of sexual abuse himself that made it
17 interesting for him?

18 THE COURT: I will ask him what he meant.

19 MS. STERNHEIM: Judge, I may have an issue. I thought
20 the last question about following your instructions, I think he
21 said no. And insofar as saying no, how did he not follow your
22 instructions after he filled out the questionnaire?

23 THE COURT: Okay. I will ask that question and then I
24 will ask the government's question about whether he followed my
25 instructions during voir dire.

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1 MS. MOE: Thank you, your Honor.

2 THE COURT: And then I will --

3 MR. EVERDELL: Your Honor, I believe he mentioned
4 something about his interview with the journalist Lucia, first
5 name Lucia, and I was trying to follow his response, but he
6 said something about: I didn't understand that this was an
7 issue in the questionnaire. But I believe the reporting is
8 that they discussed this at length, the consequences of him
9 going public and the consequences of the fact that there was a
10 jury questionnaire at issue here and there were answers to
11 those questions that he would be talking about. I can't
12 remember exactly what it is, but there was some discussion
13 about the consequences of him going forward. And I believe
14 what he said was: I didn't have any discussions or any lengthy
15 discussions with the journalists about me coming forward and
16 just answered their questions. But I believe there was a
17 discussion with Lucia about the consequences, about whether he
18 wants to do this, about -- I don't remember now --

19 THE COURT: I don't understand what you're referring
20 to.

21 MR. EVERDELL: I think the issue is he was saying how
22 he didn't expect to be public, he didn't expect to be known
23 worldwide as a victim of sexual abuse, he didn't expect this
24 come out, even though he's talking to journalists. My
25 understanding is he had a discussion with Lucia, the journalist

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1 from The Independent, about the consequences of him coming
2 forward, which is: This is a momentous decision you're making.

3 So I don't see how he squares his comments about I
4 never thought by talking to the press that I would come forward
5 and be known this way, when in fact I think there was a lengthy
6 discussion he had with a journalist about this very fact.

7 THE COURT: He said that he recognized by talking to
8 the press about it that it would be known publicly.

9 MR. EVERDELL: I think he may have said that, but I
10 think at the same time he's saying I didn't think this would be
11 known by my parents and my friends. I don't know how you
12 square those responses. To me -- and I know this was the
13 subject of argument that you don't want to hear at this point,
14 but his responses are simply not credible on this point because
15 he's talking out of both sides of his mouth: I didn't think I
16 would be known, but yet I did know I would be known. It makes
17 no sense to me. I'm curious to hear more about what I perceive
18 as blatant conflict in answers about a discussion with a
19 journalist about the consequences of going forward.

20 THE COURT: You want me to ask about what he discussed
21 with which journalist?

22 MR. EVERDELL: Lucia, who I believe is The Independent
23 journalist. So I would -- I'm sorry it's not coming out very
24 focused, I apologize, but: You had discussed before in
25 responses to my questions about the fact that you didn't think

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1 that talking to a reporter would necessarily make you known to
2 the world about -- your sexual abuse known to the world. If
3 that wasn't something that truly entered your head, isn't it a
4 fact that you spoke to Lucia, the reporter from The Independent
5 that you spoke to, about the consequences that you might face
6 in revealing all this stuff -- we won't get into jury
7 deliberations -- about what you said to her about your sexual
8 abuse and other things, there would be well-known consequences
9 to what you were doing. How do you square those two thoughts
10 in your head, which you didn't think it would be public, didn't
11 think you would be known for this, and the journalist is
12 telling you that very fact?

13 MS. MOE: Your Honor, the government has no objection
14 to limited follow-up questions about his understanding about
15 whether it would become public. I do have concerns about the
16 proposed question because it's confusing and a little cryptic.
17 I don't know what the word "consequences" might mean in
18 response to the question or what that's in particular driving
19 at. I think, as the Court noted, he has already sort of
20 explained his understanding about speaking publicly to a
21 reporter and whether it would be publicly known that he was the
22 victim of sexual abuse.

23 There's also, I think, some tension between the
24 Court's focused question about whether he understood it would
25 become public that he was the victim of sexual abuse and

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1 further questions about his understanding about sort of the
2 magnitude of press coverage arising from the issue that gives
3 rise to this hearing, which I believe he touched on as well.

4 THE COURT: I think what I will do is go back and ask:
5 Did you understand at the time you talked to the press in the
6 way that you did, did you understand that it would be publicly
7 known that you were a victim of sexual abuse? We'll see what
8 he says.

9 Did you think about the consequences of talking to the
10 press about that? Did you talk to the press, the press
11 reporter about the consequences?

12 It's difficult for me to see what it's going at, but I
13 will seek clarification on his answers, as I did multiple
14 times, on the reconciling and understanding his thinking about
15 coming out publicly as a victim of sexual abuse. He has
16 explained some of the transformation process and the like. You
17 can make your arguments about credibility. But I will go back
18 and see if there's something to ask regarding talking to the
19 reporter about the consequences. Which also there's a temporal
20 issue here, he didn't think about it until he talked to the
21 press, and in the course of that the press talked to him about
22 the consequences and that changed his understanding
23 potentially.

24 MS. MOE: Yes, your Honor. And I think yet a third
25 point, talking about consequences today, I think Juror 50

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1 rightly understands that question to be referring to whether he
2 would understand he would be sitting in a courtroom like this.

3 THE COURT: I will go back and try to get an
4 understanding of what he thought would happen when talking to
5 the press regarding his own sexual history regarding it being
6 publicly known that he was someone who suffered from sexual
7 abuse.

8 MS. STERNHEIM: During the interview he mentioned
9 question 48, and he said: I recall being asking about friend
10 and family, and she said "it also asked about you," he turned
11 beet red, and she said: You're turning beet red. He said:
12 The blood is rushing to my head.

13 THE COURT: She actually said: You're not on the
14 stand. You misquoted it in the papers.

15 MR. EVERDELL: Not in the sun.

16 THE COURT: You're not in the sun, she said, you're
17 not on the stand, don't worry, but yes.

18 MS. STERNHEIM: What was going through his mind when
19 she mentioned that the question included you?

20 THE COURT: I will ask that. He talked about the
21 first time he learned that the questionnaire had the question.

22 MS. STERNHEIM: And last thing is: What was his
23 motivation in speaking to the press and being interviewed?

24 THE COURT: Those questions, what motivated him after
25 trial, is not relevant to what was going on during the filling

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1 out of the questionnaire and responding to the voir dire. I
2 would ask questions about that, and I have, but what motivated
3 him to talk to the press is not relevant to the inquiry.

4 All right. Anything else?

5 MS. MOE: Not from the government, your Honor, thank
6 you.

7 (Continued on next page)

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(In open court)

THE COURT: All right. I do have some additional questions, Juror 50.

BY THE COURT:

Q. I asked you whether you approached filling out the questionnaire with diligence.

Can you recall that?

A. Yes, your Honor.

Q. And you indicated no and you wish you had and that sort of thing. And I asked you whether you took my instructions carefully in the questionnaire.

Do you remember that?

A. Yes, your Honor.

Q. And your answer is no? Is that accurate?

A. Yes, your Honor.

Q. And to make sure I understand, why is that? Why didn't you take my instructions carefully?

A. It was definitely inadvertent. Again, like I said, I began to float, fly through it, in order to get done. I was super distracted, and it just -- I don't know what happened. I just wanted to get done with it.

Q. When you came back on November 16 for the follow-up questions, there was another instruction video.

Do you recall that?

A. Yes, your Honor.

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1 Q. And when I asked you questions, those one-on-one questions,
2 did you pay attention to the instructions at that time?

3 A. Yes, your Honor.

4 Q. Did you listen carefully to my questions?

5 A. Yes, your Honor.

6 Q. Do you have any doubt that you answered those questions
7 accurately?

8 A. I answered every single one of those questions accurately.

9 Q. Might you have failed to pay attention to the specifics of
10 the questions in any way?

11 A. Not at all, your Honor.

12 Q. And how do you know that, given how you approached the
13 questionnaire?

14 A. Because it was a different situation. I wasn't distracted.
15 There weren't things going on. I wasn't sitting there for
16 hours. It was multiple weeks later. So, again, I wasn't -- at
17 that point, I wasn't thinking about my ex.

18 Q. Would you say that you're distracted easily?

19 A. I think I can become distracted, but it had no effect me
20 serving in the jury, on the jury, and listening to all the
21 evidence given during the trial.

22 Q. And what was your approach to my instructions at various
23 points?

24 A. It was to follow them.

25 Q. When you were testifying earlier -- and I asked you some

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1 questions about this -- you said that you didn't think that
2 your family or friends would learn that you were a victim of
3 sexual abuse, despite the press interviews.

4 Do I have that right?

5 A. Yes, your Honor.

6 Q. And why didn't you think that?

7 A. Well, I wasn't using my full name. I'm also not ashamed
8 about it. It's something that happened, and it's something
9 that is relatively common that happened to multiple people
10 throughout the world.

11 Q. And we talked about this, but you understood that there was
12 a high level of press and public attention to the case.

13 Correct?

14 A. Yes, your Honor.

15 Q. Help me reconcile that you didn't think friends and family
16 would learn about your sexual abuse with the fact that you were
17 speaking publicly about it.

18 A. The one thing that I can point to is that when my friends
19 commented, texted me -- commented on my post, texted me about
20 it, they didn't even know that this trial was even happening.
21 So I figured a little article about a juror giving their
22 experience wouldn't be record-breaking or really in the news at
23 all.

24 Q. So you couldn't see how they would find out about it?

25 A. Yes, your Honor. That wasn't something that I was

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1 intentionally planning to hide; right? So if somebody were to
2 ask me if I was abused, I would say yes.

3 Q. And otherwise -- well, let me ask you: You were posting on
4 social media about your role as a juror.

5 A. After the trial, yes.

6 Q. So wouldn't your friends and family find out in that
7 regard?

8 A. It just -- I just said that I had served on the jury. I
9 didn't say anything about it in it.

10 Q. There was a communication with one of the witnesses in the
11 case, Annie Farmer, on social media?

12 A. That's right.

13 Q. And you thanked her for sharing your story.

14 A. Yes.

15 Q. What did you mean by that?

16 A. She just shared the article, and then I commented on it;
17 that thank you for sharing my story because she said that I was
18 brave enough to come forward, and so I thanked her for sharing
19 hers as well.

20 Q. So your friends who followed you there would see that.

21 A. I don't have any followers. I think I had like two
22 followers, and they were random things. Twitter is not
23 something I normally use. So I had just randomly seen that
24 she'd shared that. So I felt like I wanted to comment.

25 Q. You testified, when I asked whether you hoped you'd be on

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1 the jury, and you had said that you didn't think you would.

2 And I asked you why, and I asked you if you hoped you would.

3 And you said, well, I thought it would be interesting.

4 If you were going to serve jury duty, this would be --

5 What did you mean you thought it would be interesting?

6 A. So not everybody gets called for jury duty. Some people

7 never get called in their entire lifetime. I figured if --

8 what I mean by that is this is something interesting. It's not

9 like -- I don't know. Maybe a fraud case might be boring. I

10 don't know. I just felt like this might be something

11 interesting that keeps my attention.

12 Q. I asked you when you first learned that the questionnaire

13 included a history-of-sexual-abuse question.

14 Do you remember that?

15 A. Yes, your Honor.

16 Q. And you told me during a videoed interview.

17 A. Yes, your Honor.

18 Q. Correct.

19 What was your reaction when you learned that the

20 questionnaire contained that question?

21 A. Well, she asked me. And I was, like, they don't ask about

22 your own personal abuse because it's what I believed. It's

23 what I thought. It's what I read. I didn't know I had made a

24 huge mistake like that, and that's why I responded that way.

25 Q. And how did you feel?

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1 A. Well, number one, I was, like, did I just mess something up
2 entirely? And I was embarrassed and sort of like shocked and
3 didn't know that that was the full question.

4 Q. I think at one point you said that you sort of didn't
5 realize the extent to which your interviewing would kind of
6 reverberate. I don't mean this process.

7 But in terms of the public knowing that you had a
8 history of sexual abuse, with any of the reporters you spoke
9 to, did you talk through the consequences?

10 A. No, your Honor.

11 Q. And, again, I don't mean about this kind of process. But I
12 just mean to speak about your history of sexual abuse.

13 A. Correct. No, your Honor.

14 THE COURT: I'll briefly meet with counsel.

15 (At the sidebar)

16 THE COURT: I want to make sure that I've accurately
17 captured the follow-up questions that were requested and give
18 you a final opportunity if you have any additional questions
19 for followup.

20 MS. POMERANTZ: Nothing further, your Honor. Thank
21 you.

22 MS. STERNHEIM: Judge, I had asked before if the Court
23 could inquire about the summary of the case. He said he paid
24 attention early on. He specifically said that the case was
25 about sexual abuse.

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1 THE COURT: I don't understand what the question is.

2 MS. STERNHEIM: Well, you had read that. So you knew
3 what this case about, and that was in your mind when you were
4 answering the questionnaire. For him to say that --

5 THE COURT: I don't want argument.

6 What question do you want me to ask?

7 MS. STERNHEIM: Did you read the summary of the case
8 and understand that the subject matter of this case --

9 THE COURT: Well, I won't summarize it. I'll read the
10 whole thing and ask: "Did you understand that that was the
11 subject matter of the case?"

12 MS. STERNHEIM: Yes.

13 MS. POMERANTZ: No objection, your Honor. Thank you.

14 (In open court)

15 BY THE COURT:

16 Q. Returning to the questionnaire, it says, page 4. It's
17 actually the second page of the questionnaire. There were
18 documents that you took off when you filled it out.

19 I provided a summary of the case.

20 Do you recall that?

21 A. Yes, your Honor.

22 Q. The third paragraph down in that summary reads: "The
23 charges of the indictment stem from allegations that from at
24 least 1994 through 2004, the defendant conspired with and aided
25 and abetted Jeffrey Epstein to entice minors to travel to

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1 engage in criminal sexual activity, to transport minors to
2 engage in criminal sexual activity, and to engage in sex
3 trafficking of a minor."

4 And then the next paragraph lays out of the specific
5 counts.

6 Do you recall if you read that summary of the case?

7 A. Yes, your Honor. I did.

8 Q. So what did you understand the case to be about?

9 A. Just that, just what was written there.

10 Q. And in reading that, did that cause you to think about your
11 history of sexual abuse?

12 A. It did not. Again, it's something that I don't think
13 about. It happened so long ago. Again, it's not part of who I
14 am.

15 THE COURT: All right. You may step down.

16 (Witness excused)

17 THE COURT: Counsel, let me ask your proposals as to
18 some briefing, if necessary, post-trial briefing.

19 Government?

20 MS. MOE: Your Honor, the government would
21 respectfully propose that the parties submit letter briefing
22 promptly following the hearing within the next few days.

23 If I could just have a moment to confer with my
24 colleagues about a specific date. Our general proposal would
25 be to have a short and tight briefing schedule to resolve the

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1 issues from the hearing, but if I could just have one moment
2 about a specific date.

3 THE COURT: Okay.

4 (Government counsel confer off the record)

5 MS. MOE: Your Honor, the government would propose
6 that we submit our letter briefing by Friday.

7 MS. STERNHEIM: May I, Judge?

8 THE COURT: Yes. I think your response on the other
9 briefing is due on Friday.

10 MS. STERNHEIM: And I am starting a trial, not that
11 that is going to necessarily prolong our request. But I would
12 ask for two weeks for us to submit our written submission.

13 MS. MOE: Your Honor, the government respectfully
14 submits that this issue has been prolonged in litigation. It
15 has been briefed exhaustively. The only remaining issues are
16 about Juror 50's testimony today and the inferences to be
17 drawn, which is a very narrow and confined issue which can be
18 resolved quickly and briefed quickly.

19 MS. STERNHEIM: Your Honor, this is an incredibly
20 important issue. We are not asking for --

21 THE COURT: I know it's incredibly important,
22 Ms. Sternheim. That doesn't alter the fact of what there is to
23 do. But let me look at the calendar.

24 What date does your trial start, Ms. Sternheim?

25 MS. STERNHEIM: The 16th.

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1 THE COURT: All right. I think simultaneous briefing
2 is appropriate. For one, I have responsive briefing on the
3 legal issues, and so really what we're talking about is
4 argument following based on today's record.

5 One week from today, the 15th. Simultaneous briefing,
6 I don't care if you call it letter briefing or otherwise. As
7 you know, all I care is that it's double-spaced so I can read
8 it on my iPad. Fifteen pages max per side.

9 Anything else from the government?

10 MS. POMERANTZ: No, your Honor. Thank you.

11 MS. STERNHEIM: Your Honor, I would just request that
12 our submission of questions which was sent to chambers be made
13 a part of this record.

14 THE COURT: Yes. As I've said, I will docket
15 everything. There's identifying information of Juror 50 in
16 your submitted questions. So that needs to be redacted.

17 But other than Juror 50 identifying information, the
18 redactions for all materials, I believe, for all materials
19 based on the post-trial briefing and the submitted questions
20 can be publicly docketed.

21 Is that correct? As well as my opinion had two lines
22 of redactions. So I'll docket my opinion without redactions.
23 I'll ask the parties to -- actually, I think we can handle the
24 submitted questions, the redactions for identifying
25 information.

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1 The parties' briefing, I'll ask you to submit the
2 briefs with redactions only for protecting juror privacy and
3 juror identity.

4 Any reason not to do that by tomorrow?

5 MS. MOE: Yes, your Honor.

6 THE COURT: By tomorrow?

7 MS. STERNHEIM: Yes.

8 THE COURT: Thank you.

9 So that will put everything on the record. As for
10 today's hearing, the only thing that's redacted is Juror 50's
11 name. And that's redacted on the immunity materials, as well
12 as Mr. Spodek's letter just indicated "Juror 50."

13 Anything further, Ms. Sternheim?

14 MS. STERNHEIM: Not at this time.

15 THE COURT: Ms. Moe?

16 MS. MOE: No, your Honor. Thank you.

17 THE COURT: All right. We're adjourned.

18 (Adjourned)